

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

SMARTPHONE TECHNOLOGIES, LLC,

Plaintiff,

v.

RESEARCH IN MOTION CORP., *et al.*,

Defendants.

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Case No.: 6:10-cv-00074-LED

JURY TRIAL DEMANDED

**JOINT NOTICE OF INTENT
TO FILE REVISED SCHEDULING ORDER**

On August 5, 2011, pursuant to a Joint Motion of the parties, the Court stayed all deadlines in this case to facilitate the parties' efforts to settle this dispute. *See* Dkt. No. 300. In the Order, the Court instructed the parties to notify the court regarding a revised case schedule, if the case did not settle by September 15, 2011. *Id.* On September 19, 2011, the parties submitted a Joint Notice of Intent to File Revised Scheduling Order wherein the parties notified the Court of their intent to submit a revised schedule on or before Friday, September 23, 2011. Since that time, the parties have been in regular correspondence and have reached agreement on the following dates: *Markman* hearing #1¹ on December 15, 2011; *Markman* hearing #2² on March 6, 2012; and a mutually agreeable trial date in or after September 2012. Despite their efforts, the parties and their respective counsel need additional time to finalize and approve a completed schedule, including an acceptable trial

¹ This hearing will address the patents-in-suit that are *not* also asserted in the pending case *SmartPhone Technologies, LLC v. HTC Corp., et al.* (6:10-cv-00580)

² This hearing will address the patents-in-suit that are also asserted in the pending case *SmartPhone Technologies, LLC v. HTC Corp., et al.*

date. The parties are submitting this notice to inform the court of their intent to file a revised schedule on or before Friday, September 30, 2011.

Dated: September 23, 2011

/s/ Dean Bostock (with permission Wesley Hill)

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with the Local Rule CV-5 on September 23, 2011. As of this date, all counsel of record have consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Jeffrey Randall